

RTTUZYUW RUEWMCS0000 2561830-UUUU--RUCRNAV.  
ZNR UUUUU  
R 131830Z SEP 13  
FM SECNAV WASHINGTON DC  
TO ALNAV  
INFO SECNAV WASHINGTON DC  
CNO WASHINGTON DC  
CMC WASHINGTON DC  
BT

UNCLAS

ALNAV 061/13

MSGID/GENADMIN/SECNAV WASHINGTON DC/-/SEP//

SUBJ/GUIDANCE ON EXTENDING BENEFITS TO THE SAME-SEX SPOUSES OF MILITARY MEMBERS//

REF/A/ALNAV 060/13  
REF/B/DOC/SECDEF/MEMO/13AUG13//  
REF/C/DOC/A-USD(P&R)/MEMO/13AUG13//  
REF/D/DOC/SECDEF/MEMO/11FEB13//  
REF/E/DOC/A-USD(P&R)/MEMO/04SEP13//

NARR/REF A is cancelled. REF B is a Secretary of Defense (SECDEF) memo extending benefits to the same-sex spouses of military members. REF C is a Under Secretary of Defense (Policy & Readiness) memo providing further guidance on extending benefits to same-sex spouses of military members. REF D is a SECDEF memo extending benefits to the same-sex domestic partners of military members. REF E is a USD(P&R) memo clarifying policy on granting administrative absence to obtain a legal marriage.

RMKS/1. Benefits for Same-Sex Spouses. In accordance with REFS B and C, the Department of Defense (DoD) announced that it is the Department's policy to treat all married military personnel equally. The Department will work to make the same benefits available to all military spouses, regardless of whether they are in a same-sex or opposite-sex marriage. The Department will continue to recognize all marriages that are certified with a valid marriage license. All spousal and family benefits, including Identification (ID) cards, will be made available to same-sex spouses no later than 3 September 2013. Defense Enrollment Eligibility Reporting System (DEERS) upgrades are on schedule to meet this deadline.

2. Cancellation of Domestic Partner Declaration Benefits. REF D directed the extension of certain benefits to same-sex domestic partners of military members who signed a declaration attesting to the existence of their committed relationship. In REF D, SECDEF also stated that this decision would be reassessed if the Defense of Marriage Act (DOMA) were no longer applicable to DoD. Now that the Supreme Court has held Section 3 of DOMA unconstitutional, all military personnel will be treated

equally and extending benefits to the same-sex domestic partners of military members is no longer necessary. The Supreme Court's ruling has made it possible for same-sex couples to marry and be afforded benefits available to any military spouse and family. Accordingly, benefits will only be extended to spouses. There is no change to member-designated benefits, which are available to all military personnel and any beneficiary of their choosing.

3. Effective Date of Spousal Benefits for Same-Sex Married Couples. Entitlement to benefits is retroactive to the date of the Supreme Court's decision of 26 June 2013. Military members married prior to the decision accrue benefits as of 26 June 2013. Military members who were married after 26 June 2013 accrue benefits as of the date of their marriage. While some benefits such as DEERS enrollment and ID card issuance are not available until 3 September 2013, monetary benefits such as Basic Allowance for Housing at the "with dependent" rate and family separation allowance are effective immediately for married military personnel. Benefits accrue as of the date of the Supreme Court ruling or the date of their marriage, whichever is later. Any claims to entitlements before 26 June 2013 will not be granted.

4. Additional Matters. In accordance with REF E, the Navy and the Marine Corps are authorized to grant Administrative Absence to Obtain a Legal Marriage to a Service member or members who are part of a couple that desires to get married, but is assigned to a duty station located more than 100 miles from a U.S. state, the District of Columbia, or other jurisdiction that allows the couple to marry. Eligible Service members assigned within the Continental United States may be granted administrative absence for up to seven days depending upon applicable waiting periods and travel time to and from the marriage jurisdiction. Eligible Service members assigned outside the Continental United States may be granted administrative absence for up to ten days depending upon the same waiting period and travel time considerations. Administrative absence to obtain a legal marriage may be granted only once during the career of a Service member. Commands should be consistent when granting Service members' requests for Administrative Absences to Obtain a Legal Marriage based on each member's satisfaction of the eligibility criteria and within the constraints of the command's operational requirements. This Administrative Absence may also be authorized to be taken in conjunction with regular leave. Further guidance will also be forthcoming in a future Naval Administrative message concerning implementation and extension of benefits related to, but not limited to, TRICARE, Collocation, and Overseas Assignments. With respect to Overseas Assignments, issuing command-sponsored orders to certain countries where the Status of Forces Agreements do not provide adequate privileges

and protections to  
Service members and their same-sex spouses may not be advisable.

5. Retirees. Married retirees will be able to obtain an ID card for their same-sex spouses on or after 3 September 2013 along with active and reserve component members. For other issues, members are encouraged to contact the Department of Veterans Affairs.

6. Released by Ray Mabus, Secretary of the Navy.//

BT

#0000

NNNN